

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RUSSELL KATT,)	
)	
Plaintiff,)	8:05CV380
)	
v.)	
)	
CARGILL, INCORPORATED, a)	ORDER
Delaware Corporation, and)	
GETHMANN CONSTRUCTION)	
COMPANY, INC.,)	
)	
Defendants.)	
_____)	

This matter is before the Court on Cargill, Incorporated's motion to set aside order (Filing No. 36) dismissing defendant Gethmann Construction Inc. The Court finds said motion should be granted. Accordingly,

IT IS ORDERED:

1) The Court's order (Filing No. 35) dismissing defendant Gethmann Construction Company, Inc., is set aside and defendant is reinstated.

2) Defendant Cargill shall have until February 24, 2006, to object to the joint motion and stipulation to dismiss defendant Gethmann.

3) Plaintiff and defendant Gethmann shall have until March 10, 2006, to respond to said objection.

DATED this 7th day of February, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court